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May 21, 1998

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**BY HAND**

Magalie Roman Salas, Esq.  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

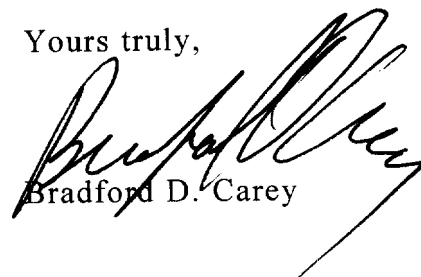
RE: In the Matter of: Establishment of "Class A" TV Service  
RM No. 9260  
Comments of Folse Communications, L.L.C.

Dear Ms. Salas:

Enclosed please find the original and ten (10) copies of Comments of Folse Communications, L.L.C. for filing with the Commission in connection with the above-captioned. Sufficient copies are enclosed for distribution to each of the Commissioners.

If you should have any questions regarding this matter, kindly direct them to the undersigned.

Yours truly,



Bradford D. Carey

BDC/mv  
Enclosures

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Before the  
***Federal Communications Commission***

Washington, D.C. 20554

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In the Matter of: )

ESTABLISHMENT OF )  
"CLASS A" TV SERVICE )

RM No-9260

MAY 22 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: The Commission

**COMMENTS OF FOLSE COMMUNICATIONS, L.L.C.**

Folse Communications, L.L.C. ("Folse") by its undersigned Counsel, hereby states its support of the Petition for Rulemaking filed by the Community Broadcasters Association (CBA) on September 30, 1997 and amended on March 18, 1998.

In its Public Notice announcing the filing of the CBA Petition, the Commission established May 22, 1998 as the deadline for filing comments in support or opposition. These Comments are being filed on or before May 22, 1998 and, therefore, are timely.

CBA seeks amendment of the Commission's rules regulating Low Power TV and TV Translator stations to give LPTV stations that meet defined criteria protection against being "rolled" off their channels to accommodate stations that might be allocated in the future.

Folse is the licensee of two LPTV/TV stations. K30EM is licensed to Houma and K07UT is licensed to Morgan City. Both stations are licensed to the bayou area of Louisiana, south west of New Orleans. The Folse stations

broadcast substantial local programming, including the only locally produced news. Folse's stations would qualify under the proposed rule to be converted to Class A TV stations.

As an experienced LPTV licensee, Folse knows well the dangers of the present secondary status of LPTV stations. Whether or not ever displaced for a full power station, LPTV station licensees live in constant fear that one day the station will be displaced.

Folse notes that the Commission has demonstrated substantial sympathy in the past for displaced LPTV stations and has endeavored to permit displaced LPTV stations to migrate to new channels under favorable rules when displaced. Moreover, in conjunction with its DTV conversion programs the Commission has adopted policies that may help LPTV station licensee maximize their chance of obtaining a new channel when displaced. Thus, although the Commission has frequently stated that LPTV is a secondary service, where possible the Commission has shown sensitivity to the displacement problems that LPTV licensees may and do face.

Yet, all of the displacement assistance the Commission has given in the past, and promised for the future, does not and can not alleviate one of the biggest limiting factors -- uncertainty. The uncertainty of LPTV being a secondary service limits the investment of capital in facilities and long-term programming efforts precisely because the stations could be forced off the air.

Moreover, the ability of licensees to borrow funds for LPTV development is similarly limited.

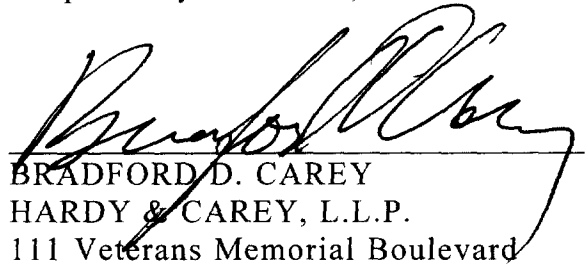
Now that the Commission's has provided for the spectrum needs of "full power" television broadcast licensees through the digital transition, it is appropriate that the Commission provide LPTV licensees, their programmers and the public the greatest expectation of stability of LPTV stations that can be given. Thus, Folse supports the proposal of the CBA and urges that it be adopted.

The public interest benefits of bringing primary status to LPTV stations that actually program in the public interest to meet the ascertained needs and interests of their communities of license are manifest. Many communities that depend on LPTV stations, such as the stations licensed to Folse in Houma and Morgan City have no local television service other than LPTV and are extremely unlikely to ever be allotted or support a "full power" station. Often, these communities are the bourgs and hamlets that are between major markets. The available spectrum would not permit the establishment of a full power station and the community could not support the costs of one. Yet, people are robbed, go to school, elect officials and vote on taxes. To the people who obtain their local news over a station with a "W" or "K" and two numbers followed by a couple of letters, there is nothing "second class" about their local news operation. And, those people should no longer be at risk of losing their local television news just because a good engineer found a way to allot another

television station to a community and "serve" that community from a transmitter site that makes the station the "N"teenth independent station serving a large city, which large city will quickly become the focus of (as well as the studio location for) the station.

In view of the foregoing, now that the Commission has tended to the DTV needs of allotted stations, it is time that the Commission give protection from future allotments and applications to legitimate, operating LPTV stations. Folse urges adoption of the CBA proposed rules.

Respectfully submitted,



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